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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

07 NOV 28 AM 9:20

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'07 MJ 2759

DEPUTY

UNITED STATES OF AMERICA,

Plaintiff,

v.

Keith W. DOWELL

Defendant,

Mag. Case Number:

COMPLAINT FOR VIOLATION OF

Title 21, U.S.C., Sections 952 and 960
Importation of a Controlled Substance

The undersigned complaint being duly sworn states:

On or about November 27, 2007, within the Southern District of California, Keith DOWELL, did knowingly and intentionally import approximately 20.70 kilograms of marijuana, a schedule I narcotic into the United States from a place outside thereof; in violation of Title 21, United States Code, Sections 952 and 960.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

P. Herington
SIGNATURE OF COMPLAINANT
SPECIAL AGENT
U.S. IMMIGRATION & CUSTOMS
ENFORCEMENT

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 28th DAY OF

Nov.

[Signature]
MAGISTRATE JUDGE

Summary of Defendant's Post-Arrest Statement
United States vs. Keith DOWELL

At approximately 1230 P.M. on 11/27/07, at the San Ysidro POE, CBP Canine Enforcement Officer S. Hersey was conducting pre-primary roving operations on primary lane # 12 when his narcotics/human detector dog "DADA" alerted to the odor of narcotics coming from a beige colored 1993 Toyota Camry bearing no license plate. In response to Officer Hersey's questions the driver and sole occupant of the vehicle, Keith DOWELL, stated he was the registered owner of the car, had been in Mexico for fun, and worked at a Christian Fellowship ranch. Officer Hersey instructed DOWELL to open the trunk of the car, which he did. Officer Hersey immediately noticed a non-factory false wall in the front of the trunk and placed DOWELL in handcuffs for officer safety. Officer Hersey then pulled the rear seat forward and discovered large packages wrapped in clear cellophane concealed behind the rear seats.

A search of the car conducted in the secondary inspection area revealed seven (7) packages concealed behind the back seat. CBP Officer B. Brown probed one of the packages and it field-tested positive for marijuana. A total of seven (7) packages were removed from the car with a net weight of approximately 20.70 kg. (45.75 lbs.). Additionally, registration documents for the car identified DOWELL as the registered owner.

On 11/27/07, starting at approximately 2:45 P.M., ICE Special Agents Pamela Herrington and Joseph Dimeglio conducted a video-recorded interview, in English, of the defendant, DOWELL. DOWELL was advised of his Miranda rights in the presence of said agents, waived his rights, and executed a written waiver that indicated that he agreed to answer questions without a lawyer present. During the interview, GEARHART was lucid and did not appear to be ill, intoxicated or under the influence the drugs. He was alert, responsive and capable of communicating in English. He did not appear to be unusually nervous or fearful. The defendant requested and received water during the interview. No promises or threats were made to elicit the statement. No breaks were taken during the interview and that ended at approximately 3:40 P.M.

During the interview, defendant made the following statements:

On Saturday, November 24, 2007, DOWELL stated he was homeless living on the street near the Vincent De Paul Mission when he was approached by "Stephanie" who offered him \$1,200 to drive a vehicle from Mexico into the U.S. for her. DOWELL understood "Stephanie" to be asking him to drive a vehicle loaded with narcotics into the U.S. DOWELL stated that he did not know what type of drug or how much it was in the car and was thankful that it was only marijuana and not cocaine or methamphetamine.

Dated: _____

Special Agent
U.S. Immigration and Customs Enforcement